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October 29, 2017

VIA ECF

The Honorable Kiyo A. Matsumoto
United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Greebel, S1 15 Cr. 637 (KAM)

Dear Judge Matsumoto:

We respectfully submit this letter in response to the government's untimely October 24 letter motion *in limine* (filed under seal) to preclude cross-examination of prior government investigations and civil litigations relating to a government witness to whom the government refers only by his initials. Although we are concerned about the untimely disclosure of *Giglio* material known to the government since before the Shkreli trial that was only disclosed to us during the first week of this trial, and although this *Giglio* material would ordinarily be appropriate to use to challenge the witness's credibility or veracity, we do not expect this witness to have any direct testimony of relevance to this case, based on his prior testimony in the Shkreli trial and his Section 3500 material produced by the government here. We therefore have no present intention to use any of this information at this trial.

Respectfully,

/s/ Randy M. Mastro
Randy M. Mastro

cc: Alixandra E. Smith, Esq.
David C. Pitluck, Esq.
David K. Kessler, Esq